



# SCOTTISH EXECUTIVE

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Police Division 1

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To:  
Chief Executives of all Scottish Local Authorities  
Directors of Finance of all Scottish local Authorities  
Chief Executive of COSLA  
Chief Executives of the National Park Authorities  
SOLACE Scotland  
Association of Chief Police Officers Scotland  
Association of Scottish Police Superintendents  
Chairman of the Accounts Commission  
Chief Constables of Scotland's Police forces  
HM Chief Inspector of Constabulary  
Scottish Police Federation  
Scottish Trade Union Congress  
Grand Orange Lodge of Scotland  
Apprentice Boys of Derry  
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Your ref:  
Our ref:

July 2006

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Dear Sir/Madam

## **REVIEW OF MARCHES AND PARADES IN SCOTLAND: DRAFT GUIDANCE TO LOCAL AUTHORITIES**

### **Introduction**

1. The Scottish Executive has made some changes to the way that notifications to hold a procession should be considered under Part V of the Civic Government (Scotland) Act 1982 through the Police, Public Order and Criminal Justice (Scotland) Act 2006. The Act received Royal Assent on 4 July.

### **Purpose**

2. This letter is to seek your comments on the attached draft version of guidance which will be issued formally to local authorities later in the year under section 65A of the 1982 Act, as amended. Section 65A is a new provision inserted by the 2006 Act which requires local authorities to have regard to any guidance issued by Scottish Ministers when carrying out their statutory functions on marches and parades. Two copies of the draft guidance are enclosed for comment along with two copies of a step by step process chart which provides a break down of all the key steps that local

authorities should follow when considering notifications to hold a procession under the new rules. Please note that there are a number of references to websites and dates in the guidance which have yet to be identified (they currently appear as either “Insert web link” or “XX” or “XX April 2007”). The correct references will appear in time for when the final version is produced and circulated (see paragraph 6 for more information on when we plan to circulate the final guidance).

### **Purpose of the draft guidance**

3. The draft guidance and process chart account for only those recommendations in Sir John Orr’s report “Review of Marches and Parades in Scotland” which are of relevance to local authorities. It sets out the statutory changes which they must follow and the good practice elements that they should adopt when handling notifications of public processions received by local authorities for marches and parades taking place from 1 April 2007 (see paragraph 5 for the reason this date was chosen). The guidance and step by step chart are therefore to be supplemented by the Report of the Working Group on Marches and Parades which accounts for all 38 recommendations contained in Sir John’s report. Two copies of the draft of the working group’s report therefore accompany this letter. More information on the purpose of the report can be found at paragraph 6.

4. Our principal aim has been to produce a guidance document for local authorities which is easy to follow, offers constructive and helpful advice on the way that the statutory and non-statutory changes should be introduced and how the changes can be implemented without creating unnecessary bureaucracy or over complex procedures. You will therefore wish to note that, in order to bring better clarity, the draft guidance and working group report have been approved by the Plain English Campaign and that they have given them the Campaign’s Crystal Mark logo. In summary, the draft guidance:

- sets out the new duties and powers that are being provided to local authorities by the 2006 Act;
- provides examples of good practice which local authorities should follow when considering notifications to hold a procession;
- outlines options for community consultation and awareness raising; and
- provides a step by step guide of the key decisions which should be taken along the way to reaching a decision.

### **Coming into force**

5. As indicated at paragraph 3, the new provisions on marches and parades are not due to come into force by commencement order until 1 April 2007. This is to allow local authorities and others affected by the changes time to understand how the new procedures will affect them and to give local authorities in particular the opportunity to consider how their current practices might need to be adjusted and new procedures introduced.

### **Report of the Scottish Executive’s Working Group**

6. The draft guidance and step by step process chart are supplemented by the attached “Report of the Working Group on Marches and Parades”. This report is the culmination of the work of the Executive’s working group, consisting of COSLA, SOLAR, SOLACE ACPOS, SPF and ASPs. It sets out in detail how the working group consider that all of the 38 recommendations in Sir John’s report should be observed by all the bodies and organisations involved in marches and parades. You are asked to note that the working group’s report is provided for information only and that you are not asked for comments on it. We plan to issue the report on a formal basis with the guidance and

chart later in the year to all recipients of this letter and others with an interest in marches and parades.

### **Action by local authorities and other recipients**

7. Comments are invited on any aspect of the attached draft guidance and step by step process chart. In considering the detail of their response, chief executives of local authorities may wish to distribute the draft guidance and step by step chart for comment to staff currently involved in assessing notifications to hold a procession. **Responses are required by Friday, 18 August 2006.** I would again remind you that you are not asked to comment on the content of the Working Group's report. Their report is attached for information only.

### **Whom to send your response to**

8. Comments on the draft guidance and process chart should be sent to the Executive, by e-mail if possible, to:

Mr Callum Percy  
The Scottish Executive Police Division 1  
Floor 1WR  
St Andrew's House  
EDINBURGH  
EH1 3DG

Phone: 0131-244-2160

e-mail: [Callum.Percy@Scotland.gsi.gov.uk](mailto:Callum.Percy@Scotland.gsi.gov.uk)

### **Next steps**

9. We will consider your comments and, if necessary, we will amend the guidance and step by step chart. Once finalised, both will be issued formally to local authorities and all other interested parties under the new section 65A of the Civic Government (Scotland) Act 1982 later in the year.

10. We look forward to receiving your views.

Yours faithfully



**ALASTAIR MERRILL**  
**Head of Police Division 1**

# review of marches and parades in scotland

Guidance for **Scottish Local Authorities**

Draft as at 6 July 2006

## draft for consultation



# **review of marches and parades in scotland**

Guidance for **Scottish Local Authorities**  
Draft as at 6 July 2006

**draft for consultation**



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## **Ministerial foreword**

Dear Chief Executive



**TO BE INSERTED  
FOR THE FINAL VERSION**

A handwritten signature in black ink that reads "Cathy Jamieson". The signature is fluid and cursive, with a horizontal line at the end.

**Cathy Jamieson**  
**Minister for Justice**



# Guidance on Public Processions

## General Information

### Introduction

1 This guidance is issued by the Scottish Ministers under Section 65A of the Civic Government (Scotland) Act 1982. It sets out the legal changes made by the Police, Public Order and Criminal Justice (Scotland) Act 2006 and what you need to take account of when assessing notifications to hold a procession. It also sets out the steps that you should take when considering whether your local authority will need to consider preventing the procession or placing conditions on it under Part V of the Civic Government (Scotland) Act 1982. The guidance has been prepared by a working group chaired by the Scottish Executive and involving those with an interest from the police and COSLA.

### Relationship to the report of the working group on marches and parades

2 We recommend that you read this guidance with the working group's report 'Review of Marches and Parades – Report of the Working Group on Marches and Parades' which is available at **INSERT WEB LINK**. The working group's report gives you detailed information on how Scottish Ministers expect you to put all 38 recommendations in Sir John Orr's report 'Review of Marches and Parades in Scotland' into practice.

### What this guidance contains

**Section one** of the guidance sets out the law changes made by the Police, Public Order and Criminal Justice (Scotland) Act 2006.

**Section two** summarises some of the good practice highlighted in the working group's report which we encourage your local authority to adopt.

**Section three** gives you a practical step-by-step guide through the administrative process and how the changes should fit in to the process for considering notifications.

### Annexes

**Annex A** is an example of a letter which your local authority could send to any organisations you keep on your 'opt-in list' (see paragraph 51 to 54 about the purpose of opt-in lists).

**Annex B** is a brief outline of what might appear in your local authority's 'How to' guide so that organisers can better plan their events.

**Annex C** provides an example of a risk-assessment form which your local authority could ask organisers to fill in.

**Annex D** is a standard notification form for organisers to complete.

**Annex E** is a process chart to take you through all the major steps for assessing notifications. This is a separate document which you can pin on the office wall.

### Who this guidance is for

3 We have drafted this guidance for local authority use. It contains advice on the new duties and powers that fall to local authorities and the standard practices they may want to adopt when considering notifications under the new arrangements. However, it is also particularly relevant to the chief executives of the two national park authorities in Scotland, the chief constables of the eight police authorities and will be of interest to all marching organisers. As a result, we have sent copies of this guidance to them along with the report of the working group.

### Organisations covered by this guidance

4 This guidance applies to all marches and parades held in Scotland. In particular, the Police, Public Order and Criminal Justice Act 2006 has removed the ability for local authorities to exempt marches and parades in their areas from the requirement to give notice. The only processions exempt from the notification process are those organised by funeral directors. This change will help to make sure that communities, you and the police have a full picture of all the processions that may be taking place in your area. Any procession which can be made automatically exempt from the requirements to give notice will be in an order made by the Scottish Ministers (see paragraphs 23 to 25).

## Categories of notification

5 Although all notifications of processions (apart from funeral processions) must formally be made to the relevant local authority from 1 April 2007, we do not want to introduce too much paperwork, particularly for events which are low-key or routine. As a result, your local authority may want to categorise notifications and consider – in line with the aim of making sure that you keep communities and the police well enough informed – how much of the good practice highlighted in this guidance would be necessary in cases where you class the notification as:

- a traditional event;
- a routine march;
- a procession which is not contentious; or
- a procession which has a good history in the past.

6 There will be little point, for example, in beginning a community-consultation exercise if the event is a traditional one which, by its very nature, involves the community as a whole in marking or celebrating significant events in the past (Common Ridings, for example). However, we would emphasise that all local authorities have a duty to follow the legal duties imposed by the Civic Government (Scotland) Act 1982, as amended.

7 When considering whether your local authority should class an event as low-key, non-contentious or routine, you may want to consider the notification with the police and carry out an assessment using the factors shown in Section 63(8) of the 1982 Act. If this assessment suggests – and the police agree – that you can class the notification as low-key, not likely to cause a disturbance, or routine, you could ‘fast track’ it and handle most arrangements by phone or e-mail. It is also likely that you would not need to hold a meeting (see paragraphs 60 to 61) or assess the risk against other tests (see paragraphs 62 to 64). These are, in any case, not legal requirements.

8 If a number of similar events which are not likely to cause a disturbance take place regularly in communities throughout your area, you may want to consider setting up a system with the police and organisers to make sure that you take any new legal requirements or lessons from previous experience fully into account. You may also want a meeting between yourselves, the organiser and the police.

### Monitoring of local authorities and the police

9 We do not presently collect and centrally hold any information on marches and parades in Scotland. In line with recommendation 7 of Sir John Orr's report, we want to have procedures in place to make sure that local authorities and the police are putting the new processes into practice in a way which is appropriate to their circumstances. As a result, we met the Accounts Commission and HM Chief Inspector of Constabulary and others to discuss how we might collect relevant information. You can find more information on monitoring, and when it will be collected, in the working group's report. We will also write to you at a later date to explain how we plan to take the monitoring forward and what it will cover. However, to give a broad idea of activity, we may ask you to provide information on:

- how you have put into practice the main changes to the legislation;
- the methods you use for letting communities know about processions;
- the number and types of processions being held in the area;
- the methods used for promoting lists of processions kept under section 63(9) of the 1982 Act and how the information needed under section 63 (10) of the 1982 Act is kept; and
- how information is shared between local authorities.

### Legislation to be aware of when considering notifications

#### *Article 11 of the European Convention on Human Rights*

10 It is important for you to keep in mind that the 'right of peaceful assembly' is protected by the European Convention on Human Rights. In particular, Article 11 of the European Convention on Human Rights sets out this right. However, that right is not an absolute one, and you can place some restrictions which are set in law and which are needed to:

- protect national security or public safety;
- prevent disorder or crime;
- protect health or morals; or
- protect the rights and freedom of others.

#### *Other legislation*

11 Depending on the nature of the event, there is other legislation which may also apply to processions. This could include:

- the Public Order Act 1936, which forbids people from wearing uniforms signifying association with any banned organisations;
- the Public Order Act 1986, which relates to the powers of chief constables during or immediately before a march or parade; and
- more recently, the conditions in the Terrorism Act 2000 relating to being members of or supporting, or fund-raising for, an organisation forbidden by law. Local government licensing laws may also apply as may some conditions of road-traffic laws.

12 The following laws may also be relevant.

- The Health and Safety at Work Act 1974 (to see what measures your local authority need to take for events which may carry a risk to health and safety).
- The Food Safety Act 1990 (in other words, where food is provided or sold at the event).
- The Occupiers Liability (Scotland) Act 1960 (about the duty of care so that people do not suffer injury and so on).
- The Land Reform (Scotland) Act 2003 (for making orders to temporarily prevent people from having rights of access to land).
- The Road Traffic Regulation Act 1984 as amended by the Road Traffic (Temporary Restrictions) Act 1991 and the Road Traffic Regulation (Special Events) Act 1994 for any restrictions which are to be put in place such as closing roads, diversions, signs or traffic cones (see paragraph 29 for more advice).
- The Road Traffic Act 1967 covering the powers of the police.
- The Control of Pollution Act 1974 (for the use of loud speakers).

13 This is not a full list and there may be other laws which apply. Your local authority will need to consider each case on its merits and consult the police when appropriate.

### ***Licences, permits and certificates***

14 Your local authority may also need to provide licences, permits and certificates for the procession. These could include a public-entertainment licence, a liquor licence, a street trader's licence, a licence for using a park or open space, a lottery permit, a licence for a charitable collection or a market operator's licence. Your local authority should consider whether any type of licence is needed and give organisers a list of charges which may apply under the relevant laws.

# Section 1

## legislative changes and good practice

### **Legislative changes made to part V of the Civic Government (Scotland) Act 1982**

15 The legislative changes that your local authority must take account of are that:

- we have increased the minimum amount of notice that organisers must give to you of their intention to march (from seven days to 28 days);
- we have removed the ability that a local authority previously had to exempt certain processions from the requirements to give notice;
- your local authority must consider a range of issues when deciding whether to prevent a procession or place conditions on it;
- your local authority must take account of the effect of a previous procession, how far the procession placed an excessive burden on the police, and how far those involved kept to any code of conduct or guidance; and
- your local authority must keep a list of processions that have been held in your area, or which have been prevented, to allow the public to see which processions happen regularly and which are likely to happen in the future.

16 We describe these changes in more detail, as follows.

#### **Minimum period of notice**

17 We have extended the notice period in the 1982 Act from seven days to 28 days' notice. This extension to the period not only gives your local authority more time to consider notifications and reach a decision but also allows them more time to give the public notice of forthcoming events in the area.

#### **Dispensations**

18 There is no change to the flexibility in section 62(4)(b) of the 1982 Act which allows organisers to apply for a 'waiver to the legislative requirement' to give 28 days' notice. You should only waive (decide not to enforce) the 28-day notice period in exceptional circumstances, for example if an organiser wants to arrange a procession in reaction to a recent decision or announcement (for example, a decision to close a factory or an unexpected announcement of redundancies).

19 Legally, you do not have to consult the community before deciding whether or not to waive the notice period for a procession. This is because we recognise that there may not be enough time in each case for you to do this. You will need to decide on the methods for publicising any order which exempts a person from giving 28 days' notice of a procession, but publicity options could include those provided in paragraph 36 below.

## **Exempt processions**

20 All processions, no matter how small, will undoubtedly cause some disruption to the community. For example, processions can restrict the movement of local residents, restrict normal business and restrict access to public facilities. Because of this, we have removed the condition in the 1982 Act to allow you to exempt organisations from giving notice. All organisers (apart from funeral directors) must now give notice of their intention to hold a procession. (However, see paragraphs 23 to 25 about ministers' ability to make an order to exempt certain processions.) This will allow people in the community to get information about all the events taking place in their area and to plan around them, if need be.

22 This change should not be difficult to deal with. Many of the previously exempt organisations will have already been letting you and the police know, in an informal way, about their intention to hold a procession. And, depending on the nature of the event, they would also contact you to ask for things such as road closures or a temporary licence. There are also certain types of processions, such as cavalcades, traditional Common Ridings each year and similar festivals, which will be simpler to process than others, and where tried and tested procedures are already in place.

### **Section 62(11)(d) of the Civic Government (Scotland) Act 1982: seeking formal exemption from the notification process.**

23 Anyone organising a procession (apart from funeral processions) will have to formally write to your local authority for permission. However, in section 62(11)(d) of the 1982 Act, we can make an order at the Scottish Parliament to exclude other processions from the requirements to give more notice. You must present your case to the Minister for Justice as to why you think a certain procession should be permanently exempt from the process to provide formal notice.

24 We think that we will only make an order in exceptional circumstances and your local authority would have to make a strong case if they wanted to have a particular procession or organisation permanently excluded from the process. If your local authority consider that they have a strong enough case, they can write to:

Minister for Justice  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG.

The e-mail address is:  
[scottish.ministers@scotland.gsi.gov.uk](mailto:scottish.ministers@scotland.gsi.gov.uk)

## Section 1: legislative changes and good practice

25 The Minister will consider any request and may decide to make an order at the Scottish Parliament. Any order can be amended (and further orders made) if it becomes clear at a later date that other processions should be made exempt from the notification process. We will regularly review the order to make sure that the list of exempt processions is relevant and up to date.

### **When to prevent a procession or place conditions on it**

26 We have withdrawn Section 63(2) of the 1982 Act and inserted section 63(8)(a) of the 1982 Act to give your local authority scope to consider a range of issues to help them decide whether they will need to prevent a procession or place conditions on it. They should now consider the following factors before deciding whether to restrict a procession.

- Public safety
- Public order
- Damage to property
- Disruption to the life of the community (see paragraphs 30 to 33)

27 When reaching a decision on preventing a procession or placing conditions on it, you should take account of section 63(8)(b) of the 1982 Act and assess whether the procession (either alone or with other events) would place too much of a burden on the police. For example, it is important to make sure that the police will be able to cope and that enough police officers will be available to patrol the march and keep order. This will be a particularly important issue if several marches and feeder parades are planned to take place. You should remember that police costs is not an issue for consideration in this.

28 You should examine all the factors before deciding whether it would be appropriate to prevent a procession or place conditions on it (such as re-routing the event). You must also make sure that you can justify any restrictions and that they do not affect the human rights of those who want to march.

29 You should also examine the effect on public roads if a procession is allowed, including the safety of all road users, spectators and those involved, and whether traffic can be controlled well enough by police. You can get the relevant guidance 'Galas and Events Affecting Public Roads – Guidance to Organisers' from our website. The web link is as follows.

<http://www.scotland.gov.uk/Publications/2005/07/14155315/53182>

## **Disruption to the life of the community**

30 All processions, no matter how small, will cause some degree of disruption to communities and businesses. That is an inevitable consequence of holding processions. However, the degree of disruption may not, by itself, be enough to prevent people from holding a procession. You would need to consider the circumstances of each notification and assess how far the procession would affect the community or any individual or organisation who can reasonably be considered to be part of a community affected by the notification, and to attach weight accordingly.

31 However, the most important question which you need to tackle is whether the level of disruption which will or may be caused by a procession is far greater than the right to free assembly. You will have to consider whether the level of disruption caused by a procession means you need to make an order which places a restriction on that event.

32 As mentioned earlier in this guidance, you will be aware that any decision to make an order which prevents a procession or places a condition on a procession will have to be justifiable under human rights. Any order which is made on a procession will also have to be a proportionate response to the level of disruption to the community that this event may cause.

33 In considering whether an order should be made to place restrictions or prevent a procession, you should consider the effect of a number of factors. While you need to consider the circumstances of each procession on a case-by-case basis, some factors which may disrupt the life of the community may include:

- where restrictions are placed on them because roads are closed;
- a re-routed or restricted bus service or lots of shops being closed; or
- if the community cannot have access to the streets for a period of time.

## **Considerations against previous processions**

34 You must also take account of section 63(8)(c) of the 1982 Act. You should assess the current notification against any previous processions held by the organiser, or those in which people who took part in the past are likely to take part in the proposed procession. For example, if there was a violation of a condition placed on the earlier procession, you should take this into account when reaching a decision on the current notification.

## **Lists of processions to be provided to the public**

35 Section 63(9) of the 1982 Act places a duty on your local authority to put together and make available a list of processions which have been held in their area and processions which have been prevented. These arrangements will allow the public to find out which marches happen regularly and which ones are likely to happen in the future. They can then send your local authority any representations.

36 Your local authority can decide how best to meet this legislative requirement, but we think it would be good practice to keep and regularly update a list of processions on your website. Options could include:

- passing information to local libraries;
- publicising information in council offices;
- publicising information in council publications;
- circulating lists to community representatives, those on your opt-in list, interest groups and so on (electronically, wherever possible);
- press releases to local newspapers and freesheets; and
- placing lists on your website.

37 We would recommend that you lay out the information for the list in a simple-to-read table which could give the public details of processions which have taken place in their area. Paragraph 42 of the working group's report provides detailed information on what these lists might contain. You are responsible for updating your lists regularly and for rolling them forward.

## **Receiving representations to a procession**

38 You may want to give communities the chance to comment on processions which are or might be held in the area. Although this is not a legal requirement, paragraph 41 of the working group's report recommends that to meet the requirements of section 63(10) of the 1982 Act you should put together lists of processions which are or might be held in the area. The second set of bullet points in paragraph 42 of the report provides suggestions on what these lists might contain. You may want to say that representations to any particular march or parade on your list should be made to the appropriate contact within a certain time. The time frame will be for you to decide, but we would suggest that you will want representations lodged with your local authority at least two weeks before the date of holding the procession.

## **Making sure that the statutory period of notice is given**

39 The period of notice that your local authority must give organisers under section 63(3)(a) of the 1982 Act has not changed. In most cases, you will be able to give the organiser considerably more notice than the minimum needed. However, we know that there will be a few occasions where you will not be able to give a decision until very close to the day of the event itself. This can give the organiser very little time to prepare any appeal. As a result, we would suggest that you try to give your decisions to organisers at least one full week before the march is to be held.

# Section 2

## advice on good practice

### General

40 This section of the guidance provides advice on good practice which we would ask you to follow when considering notifications. When reading this section we would recommend that you pay particular attention to the section of the working group's report on how the non-statutory recommendations in Sir John's report should be taken forward. This section summarises those which are most relevant to local authorities. It is, of course, important that you involve the police and the National Park Authority (if appropriate) in all the changes you will be putting into practice when considering notifications to hold processions.

### Drafting 'how to' guides

41 'How to' guides can be useful reference documents for organisers and you may want to give them these guides so that they can better plan and arrange events. The main benefits of this to you are that the organisers will be working within a common framework and will be much more aware of what you expect of them on the way they should plan and manage their processions.

42 We have not produced a thorough 'how to' guide to accompany this guidance as you will no doubt want to draft guides to fit your circumstances. However, **Annex B** to this guidance provides an outline of what might generally appear in a 'how to' guide. However, we would recommend that you put together a guide which best fits the processions which are most commonly held in your area or draft sets of codes to cover all the events that you have to deal with. It would be useful to share good practice widely and get support and advice from other local-authority contacts when preparing your guides.

### Drafting codes of conduct

43 We realise that a number of local authorities and police forces will already have voluntary codes of conduct in place for organisers to follow. And, we know that some organisers also have their own codes for those taking part. These codes may cover things like:

- timing;
- routes;
- arrangements for assembling and dispersing the procession; and
- conditions about where people taking part should march (such as how wide the march will be and in what part of the road), or conditions about noise (such as where and when music can be played and loudhailers used).

44 With that in mind, we have not produced a standard code of conduct to accompany this guidance. Your local authority, the police and organisers of processions should create or adopt a particular code of conduct for those involved in the procession. This should reflect local conditions and experiences. It is also for your local authority to decide whether to adapt one code for all processions or to provide a set of codes to suit particular kinds of processions. You should provide any codes of conduct to organisers alongside the notification form.

### **Creating ‘single gateways’**

#### ***Purpose***

45 We realise that organisers often send their notifications to a number of local-authority departments. This means that they can then find themselves dealing with a number of contacts at the local authority and the police. This can cause confusion for the organiser and may lead to inconsistent advice being given out from different parts of the organisations. Because of this, we recommend that you create a ‘single gateway unit’ or ‘single contact’. This will lead to:

- a clear structure so that organisers can reach the right person quickly;
- quicker response times;
- improved communication between you, the police and the organiser;
- consistent and reliable advice being given out; and
- fewer chances of misunderstandings developing.

#### **The process**

46 We recommend that you, the National Park Authorities and police forces adopt the ‘single gateway’ process by:

- creating a first point of contact within each organisation;
- showing the name, official address and phone number of the contact on the notification form and all relevant material that is sent out to the public (leaflets, guidance, posters and so on), websites and so on;
- making sure, as far as practicable, that the first point of contact in the local authority acts as the source of advice for the organiser and, wherever possible, gathers together decisions made by other parts of the office (for example, decisions on routing the march, managing traffic, licensing and so on) to the organiser, the police and members of the public; and
- making each organisation’s first point of contact responsible for keeping and recording all information relating to the notification, including the information needed for monitoring purposes.

## **Sharing information**

47 We consider that it is important for your local authority to share their experiences about handling processions more widely among other local authorities and the police so that those involved in the process can learn from others. The single gateway process (see paragraph 46) would provide a straightforward channel of communication between local authorities. Sharing information on the following would be particularly useful.

- Local authority or police reports on processions held (if these can be released)
- Reports submitted to local authority committees (if these can be released)
- Methods used to consult the community
- Local press articles
- General guidance issued to marchers, organisers and those taking part, local authorities and police forces
- Revisions to the codes of conduct and 'how to' guides
- Procedures for considering risks
- Processions which have been forbidden and why
- Representations made by the community on specific processions, as long as you have their permission to do this
- Additions to opt-in lists (see paragraph 51 to 54 on opt-in lists)
- Information held on processions
- Anything that has been released under the Freedom of Information Act.

48 You would need to consider the sensitivities (such as data-protection issues) surrounding sharing some of the information listed above. For example, you would need to decide – in line with your local authority's own policies – whether you wanted to share information with others on any representations you have received from the community about processions and so on.

49 You should share information by:

- publishing it on your local authority's website; or
- communicating the information using a general e-mail address (see paragraph 50).

50 It is likely that the main contact for this would be the same person you have identified as the 'single gateway'. You could do this by creating an e-mail group, sharing good practice and experiences using a general e-mail address (a general list made up of each of the representatives from the 32 local authorities and eight police authorities together with a representative from COSLA, the Society of Local Authority Chief Executives and Senior Managers (SOLACE), the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR), the police associations and the Scottish Executive).

### **Keeping opt-in lists**

51 As we said earlier, section 63(10) of the 1982 Act places a duty on local authorities to make arrangements to make sure that anyone who asks for information on processions to be held in their area can receive the appropriate information. We believe that this important change makes it important for you to make sure that certain individuals and organisations receive regular updates on processions to allow them to plan better and work around any problems which could be caused by the procession. This would mean that members of the public with links to these organisations, not to mention the organisations themselves, are better informed of forthcoming events and can make representations to you, if necessary.

52 We recommend that you create and update an opt-in list to let those on the list know about processions that are about to be held (via e-mails or letter). You will see an example of the type of letter which you could send to organisations on the opt-in list at **Annex A**. We suggest that your local authority give the organisations on the opt-in lists two weeks to respond with any views about holding the procession.

53 Your website should also make it clear that you let organisations on your opt-in list know about processions beforehand. The web page should also invite other interested individuals, organisations and groups to get in touch to ask for their names be added.

54 You will need to decide which organisations you should include on your opt-in list. These could include groups like:

- local-authority committees;
- city-wide groups like the Local Hotels' Association and the various bus operators;
- local groups like residents' and tenants' associations;
- community councils;

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- relevant MP or MSP constituency offices;
- voluntary organisations;
- tourist information centres;

and so on.

### Consulting communities

55 We have not changed the 1982 Act to place any other requirements on local authorities to consult communities for each procession they are told about. This is to avoid placing expensive, time-consuming and bureaucratic processes on them. Nevertheless, we do place a lot of emphasis on community consultation and the importance of gathering community views and the need to keep them informed of what is going on in their area. That is why we have amended the 1982 Act in some major areas (see new sections 63(8)(a)(iv), 63(9) and 63(10) of the 1982 Act) to make sure that your local authority keeps the relevant communities informed. There are also aspects of this guidance which highlight areas of community involvement, such as keeping 'opt-in lists' and the holding de-briefing meetings (which your local authority should invite members of community groups to), which you should include in your practices.

56 In particular, the changes to the 1982 Act in making sure your local authority takes account of the effect of marches and parades on the community in terms of public safety, public order, risks of damage to property and risks of disruption to the life of the community will mean more community involvement. If your local authority wants to get more information from communities on these issues, they could use existing processes for involving the community to consider the issues that arise generally with processions which they believe will take place each year in their area.

57 You can find information on the community planning process, which local authorities have a duty to organise, in the Statutory Guidance published following the Local Government in Scotland Act 2003. You could use the community planning process as a basis for considering how public services could be provided for public processions which take place regularly in certain areas. It is up to each Community Planning Partnership to decide what priorities to set for each area. However, if it is decided to discuss processions as part of this process, local authorities should involve communities in line with their existing community planning arrangements.

58 Alongside this, we would remind you of the new duty placed on you by section 63(10) of the 1982 Act which means your local authority needs to provide information to those who ask for it about processions which may be, or are about to be, held in the area. Legally you do not need to keep lists to meet the terms of section 63(10) of the 1982 Act nor do you have to ask for views from the public. However, in keeping with the recommendations in the report of the working group, and to make best use of the potential for receiving community views, you should keep lists. In those lists you should say that you should receive any representations about holding any particular procession within a set time limit.

59 You will need to decide on the time limit, but it may be that you would want responses from the public at least two weeks before the date of the procession. Given that you will receive notices individually here and there, you must regularly update your lists and publish revised versions. It is, of course, also important to send updated lists to those on your opt-in list and invite views (see paragraphs 51 to 54).

### **Precursory meetings**

60 A precursory meeting is a discussion between you, the police and the organiser which is an informal way of providing a useful face-to-face opportunity for everyone to go through the notification and discuss any issues or problems. It may also be appropriate to invite community organisations along and any business representatives to receive their views. Or, you may decide that it would be better for community organisations to be represented at the full decision-making meeting of the relevant council committee and to go to the debriefing meeting (see paragraph 65).

61 You may not always need a precursory meeting and you could discuss issues surrounding routine or small-scale marches over the phone or deal with them by e-mail instead. Paragraphs 79 to 82 of the working group's report provides more information on the circumstances of when a first meeting would be appropriate and gives details of what that meeting might need to cover.

### **Assessing risk**

62 Depending on the nature of the event, you, in close discussion with the police, may want to carry out an assessment of the risk of holding the procession against considerations set out in section 63(8) of the 1982 Act (including any information available on previous processions). This will lead to better and more informed decision-making because you will have:

## Section 2: advice on good practice

- identified the known dangers and risks associated with holding the procession;
- a better knowledge on which to decide whether and what precautions could be taken to reduce or get rid of risks; and
- a better idea of what preventative measures you may need to take now and for future processions.

63 You should pass your written assessment to the organiser for comment and you may want to compare your findings with any risk assessment they have carried out (see next paragraph).

64 Again this may depend on the nature of the event, but it may be appropriate to ask the organiser to carry out a risk assessment. You should let the organiser know whether they will have to carry out a risk assessment. You can find an example of the types of things that an organiser might have to cover in a risk assessment at **Annex C**. You should consider the organiser's risk assessment and include it in the decision-making process.

### Debriefing meetings

65 If appropriate, you should arrange a debriefing meeting with the organiser and the police as soon as possible after a procession has taken place. You may also need to invite community organisations along so they can have their say on how the event was handled. These meetings will give those attending an opportunity to air their views and voice any concerns over holding the procession in the future. You may not need a debriefing meeting for marches which have passed off without incident, but it would be advisable to hold a short meeting for all large-scale processions – even if these have not attracted trouble – to see if there was anything which could have been handled better. You will find examples of the types of issues that could be covered at a debriefing meeting in paragraph 90 of the working group's report. You should take a note of the debriefing meeting and send it to all those who come to the meeting.

### Other good practice

66 The working group's report responds to all of the 38 recommendations in Sir John Orr's report. This guidance accounts for most of that analysis, but there are other aspects of good practice in the report which we do not cover here. We can summarise these elements as follows and you should consider them when reviewing your practices and deciding how you might best take them forward in your area:

- You should continue to respect important dates which are traditionally important to various organisations but you may want to consider holding discussions with organisers about the possibility of re-routing some marches in future and combining some of them to reduce the volume. (See paragraphs 69 to 72 of the working group's report.)
- You and the police should work together on keeping statistics of the number of processions taking place and how to work out the associated police costs. (See paragraphs 96 to 99 of the working group's report.)
- You, the police and the organiser should discuss the content of the organiser's codes of conduct to make sure that it reinforces the behaviour expected of those taking part. (See paragraphs 108 to 112 of the working group's report.)
- If you have not already done so, you should work with the police to consider whether it would be necessary to put byelaws in place to prevent people from drinking alcohol in public places. (See paragraphs 124 to 125 of the working group's report.)

# Section 3

## step-by-step guide

### General

67 This section sets out the basic steps that you should follow when taking decisions on notifications received at least 28 days before the procession. The step-by-step guide below sets out the process over a 28-day period and shows how the administrative process should work from the point of receiving the notification to holding the procession itself. Some organisers will send you their notifications some months beforehand, which will give you and the police a considerably longer time to plan and prepare for the procession and to let communities know. In these cases, we would expect you to give organisers early notice of your decision.

68 As highlighted earlier in this guidance, decisions to be taken on the more routine processions or parades may not need to follow the entire process described below. You can decide how this should work. However, it may be possible for you to identify general events and draw together a list with the police and organisers of events which you could class as routine and suitable for fast-tracking. However, you must remember that your local authority must follow the statutory duties imposed by the Civic Government (Scotland) Act 1982, as amended.

69 Even for processions which are to be taken through the full process, it may be possible to skip some of the steps – such as the need to hold a precursory meeting, the need to assess the risk against other tests and the need for organisers to fill in a risk assessment. This would help to avoid making the process overly long for marches which, while not classed as ‘fast track’, can, nevertheless, be categorised as being of a more routine nature than others. We provide a separate chart to outline the various processes – including fast-tracking – with this guidance.

### The notice

70 All organisers (apart from funeral directors and any processions covered by an order made by us) must give you notice that they want to hold a procession. You can decide not to enforce the notice period of 28 days, but only in exceptional circumstances.

71 Although there is no legal notification form needed under the 1982 Act, organisers must give you the information set out in section 62(3) of the Act. However, you will want to remember that the working group has drafted a standard notification form that you could give to all organisers. You can find this at **Annex D**. You may want to keep a stock of these forms at convenient places and give them to organisers when they ask. You should also give them your code of conduct and ‘how to’ guide with the notification form.

## **Week one**

### **Step one**

#### ***Day one – receiving the notification***

72 You should receive the notification form from the organiser at least 28 days before the procession is to be held. You should acknowledge that you have received the notification form and make sure that the police have a copy of it. Return any late or incomplete notification forms to the organiser and ask them to fill in the missing information and send it back (if there is enough time or them to do so). For late notifications, ask the organiser to explain why the notification was sent in late with a note that they may want to consider applying for a waiver to the 28-day period. (See section 62(4)(b) of the 1982 Act.)

### **Step 2**

#### ***Days one to three – deciding how to handle the notification***

73 Decide, along with the police, whether the procession falls into one of the categories below.

- It needs to go through the entire administrative process (in other words, where a first meeting will need to be held, a risk assessment carried out by the organiser, the views from the public taken and where conditions may have to be placed).
- It is one of the organisations or processions on your local authority's 'fast track' list (see paragraph 68) where most arrangements can be handled by phone or e-mail.
- It is not one of the organisations or processions on your local authority's fast track list but it will be possible to fast-track it. Again, most arrangements should be handled by phone or e-mail.

#### ***Days one to three – setting up the first meeting***

74 If you are taking the notification through the full administrative process, you should contact the organiser, the police and any other groups that you feel should be represented (for example, the emergency services, community council representatives and so on) to arrange the first meeting. This meeting will help you to tackle any early concerns and discuss issues of planning for the event and so on.

## Section 3: step-by-step guide

### ***Fast-track notification***

75 For fast-track notifications, where you and the police should be able to deal with the organiser mostly by phone and e-mail, you should arrange to have a meeting as soon as possible with the organiser and the police to confirm the arrangements. You need to compare it with the previous year's event to go over any issues or concerns which are still outstanding from that event.

76 Keeping in mind that you must follow all the legislative steps set out in the Civic Government (Scotland) Act 1982, it may be possible, once you have confirmation from the representatives at that meeting that all issues have been satisfactorily dealt with, to give the organiser early confirmation that the event can go ahead with or without conditions. After the event has been held, your local authority would need to hold a debriefing meeting (see paragraph 90 below) to review any issues.

77 The following steps mostly apply to notifications which should be taken through the full administrative process. However, there are some steps which fast-track notifications will also need to follow. The legal steps set out in this section of the guidance apply to all notifications.

### **Step 3**

#### ***Day three – publicising the notification***

78 You should arrange to publicise the notification in line with your agreed practices, give two weeks for views to be sent in and explain how you will take those views into account. You should also write to those on your opt-in list (see paragraphs 51 to 54) to let them know someone plans to hold a procession and ask for views. Given their nature, some 'fast-track' notification (for example, Common Ridings events) may need rather less in the way of community consultation.

#### ***Day four – other tasks to carry out***

79 To meet the requirements of section 63(10) of the 1982 Act, you should now add a note of the notification to the list that the working group recommends you keep and search your files for records of any previous similar processions. The process needed under section 63(10) of the 1982 Act applies to fast-track notifications.

80 You should keep these records to hand and prepare a short summary statement to highlight any areas of concern with the last procession in as far as they relate to section 63(8)(c) of the 1982 Act. You should prepare this statement in time for the first meeting. This process is a legal requirement and so also applies to fast-track notifications.

## **Step 4**

### ***Day five – taking stock and arranging the first meeting***

81 You should take stock of the information collected so far and consult with the police (by e-mail) to see if there are any early concerns which they consider will need to be raised at the meeting with the organiser. This could include the proposed route, the timing of the event, the stewarding and so on. You should keep a note of these discussions along with any e-mail exchanges and raise any concerns with the organiser at the precursory meeting.

82 You should also begin collecting information about the list of considerations set out in section 63(8)(a) of the 1982 Act.

## **Week two**

### **Step 5**

#### ***Day 6 – holding the precursory meeting***

83 You should hold a precursory meeting with the organiser and the police to discuss the notification and any concerns about holding the procession. It might be useful to keep a brief record of the meeting and outcomes agreed between everyone. You may also want to use this meeting to discuss the organiser's risk assessment, if needed. You will probably need more meetings along the way towards the final decision. A precursory meeting is relevant for fast-track notifications and it may be possible to have this meeting arranged much earlier in the process.

### **Step 6**

#### ***Days 7 and 8 – assessing risk***

84 By now, you should have enough information to make a preliminary assessment of the risks associated with holding the procession. The assessment, which you should carry out with the police, will help you to reach an informed decision on the information and advice – if appropriate – to include in your report for the committee.

## **Week 3**

### **Step 7**

#### ***Days 9 to 18 – reviewing the evidence***

85 By day 18 you should have received all the comments from those affected by the proposal and be in a position to consider whether the notification will need to be sent to a committee for consideration. In doing so you should:

## Section 3: step-by-step guide

- compare the comments received from the police, the public and those on the opt-in list;
- examine the information gathered from the precursory meeting and any other meeting you may have had about the notification;
- put together any other relevant information or evidence you have to hand, particularly information on whether the organisers kept to conditions for previous processions (section 63(8)(c) of the 1982 Act); and
- assess the representations received and all other information you have against all parts of section 63(8) of the 1982 Act and your council's Schemes of Administration and Delegation.

86 Taken together these will allow you to decide whether the notification needs to be referred to a committee. If so, you should, on or before day 18, issue a notice and agenda calling a committee meeting to all who made a representation. You should give at least three days' notice of that meeting. With that notice and agenda you should include:

- a copy of the notification form;
- a copy of the comments received from the police;
- a copy of all representations received; and
- a report with details of all other relevant information you have.

### Week 4

#### Step 8

##### *Making an order about a procession*

87 If the committee decides that conditions are to be placed on a procession or it is to be prevented, you should draft an order, tell the police and contact the organiser to let them know the decision. You should publicise the order as appropriate including updating information on your website. This process also applies to fast-track notifications.

#### Step 9

##### *Day 21 – Letter of confirmation*

88 If the committee decides that you need to place restrictions on a procession, and even if it is decided that this will not be necessary, you should give the organiser a letter of confirmation setting out what has been agreed and why certain decisions have been taken (section 63(3)(a) of the 1982 Act). You should include a copy of any

order that is needed (see section 63(3)(a) of the 1982 Act) with the letter along with another copy of your code of conduct. This process also applies to fast-track notifications.

89 In most cases, it should be possible to complete all these steps well before the end of the 28-day period (see paragraph 39 on minimum period of notice) and at least one week before the procession is to be held. We appreciate that there may be rare occasions where it will not be possible to reach a decision until very close to the day of the procession itself. However, depending on section 63(4) of the 1982 Act, a local authority must give at least two days' notice of any decision to prevent or place conditions on a procession or any change to those decisions.

## **Step 10**

### **Issues after the procession**

#### ***Debriefing meetings***

90 You should arrange a debriefing meeting with the organiser and the police as soon as possible after the event (within 14 days of the event, if possible). These meetings allow those at the procession to give their views and voice any concerns over holding the parade in the future. It may be appropriate to invite representatives from community organisations so you can hear their concerns. Take a note of the debriefing meeting and send it to all those who attend. Debriefing meetings are also relevant to fast-track notifications.

#### ***Follow-up letter***

91 If any serious concerns have been raised at the debriefing meeting, you should let the organiser know about them in a follow-up letter from you or the police. The letter should set out all the concerns and how these might affect any future notices to hold a procession.

#### ***Keeping records***

92 You should record the outcome of all events and hold it on file with other relevant papers and consider it when notices are made in the future by the organiser. You should also update the lists to be kept under section 63(9) of the 1982 Act. This process is also relevant to fast-track notifications.

## Summary

93 We have designed this guidance to help you understand the changes to the law which will apply from 1 April 2007 and the good practice you should follow. With this in mind, it is important for you to note that you must consider notifications you receive before XX 2007 against the existing conditions in the 1982 Act. You must consider notifications you receive from XX 2007 onwards against the new processes outlined in the 2006 Act, which amends the 1982 Act, and this guidance.

94 Not every notification needs to go through all the processes outlined in the step-by-step section above (in other words, precursory meetings, risk assessments, debriefing meetings and so on). You can decide the circumstances under which you will not pass a notification through all the steps. However, you must follow all the legislative steps for all notifications sent to your authority under section 62(2) and (3) of the 1982 Act. You must also keep to any duties which are placed on you under Part V of that Act.

## Scottish Executive contacts

95 If you have any questions on this guidance, please send them, preferably by e-mail, to:

Mr Callum Percy  
The Scottish Executive Police Division 1:2  
Floor 1WR  
St Andrew's House  
Edinburgh  
EH1 3DG

Phone: 0131 244 2160

E-mail: [Callum.Percy@Scotland.gsi.gov.uk](mailto:Callum.Percy@Scotland.gsi.gov.uk)

### **Further copies of this guidance**

96 If you want more copies of this guidance, e-mail:

Mrs A Muir  
The Scottish Executive Police Division 1:2  
Floor 1W.15  
St Andrew's House  
Edinburgh  
EH1 3DG

E-mail: [Alexandra.Muir@Scotland.gsi.gov.uk](mailto:Alexandra.Muir@Scotland.gsi.gov.uk)

### **Police Division 1:2**

**The Scottish Executive Justice Department**

**June 2006**

# Annex A

## Sample letter for you to send your opt-in organisations

### *Civic Government (Scotland) Act 1982 Part V – Notice of a public procession*

Dear Mr/Mrs

We have recently received the notification shown above to hold a procession. We are currently considering the details of the notification and will be discussing it with the police and the organiser. We will take a decision on whether:

- the procession can go ahead without any conditions being placed on it;
- the procession can go ahead with an order made to place certain conditions on it; or
- the procession should be prevented from going ahead.

We are letting you know about the organiser's intention to hold the procession so that you can consider how the procession might affect you and how you might need to plan and work around it. In the meantime, if you want to raise any points or issues in relation to holding this procession, please contact me by [insert date]. We may include any representations that you or any other person may decide to make about the notification in papers the [insert title] Committee will consider. As a result, the identity of the people making those representations will become public.

Please remember that Article 11 of the European Convention on Human Rights sets out the 'right to freedom of peaceful assembly and association'. This means people have a right to march. However, it is not an absolute right and we can place restrictions on it if it is necessary:

- in the interest of national security or public safety;
- to prevent disorder or crime;
- to protect health or morals; or
- to protect the rights and freedom of others.

We may also ask you to come to a meeting we might be having with the organiser and the police to discuss this notification. If the procession is to go ahead (with or without conditions), we may also hold a meeting with the organiser and the police after the procession is held to go over any other issues. We may also want to invite you to come to the [insert title] Committee’s meeting. We will write to you again to let you know if we will be inviting you to come to any of these meetings. The details of the procession are as follows.

<b>Date of procession</b>	<b>Proposed routes</b>	<b>Likely number of marchers</b>	<b>Organisation holding the procession</b>

You should send any questions or notes of concern about holding the procession to:  
[insert local authority details here]

Yours sincerely

# Annex B

## ‘How to’ guides for organisers

It may be helpful for you to give organisers a ‘how to’ guide with the notification form. The purpose of the guide would be to act as a reference manual so organisers could take steps to make sure that their event goes more smoothly and in line with your expectations. This annex sets out what might feature in a guide but we would leave it to you to decide on the specific content and format of your own guide. The ‘how to’ guide should provide other information to that shown in your code of conduct. A ‘how to’ guide might include the following.

### Section 1 – the law

The purpose of this section would be to describe the various legal requirements that organisers should be aware of (see paragraphs 11, 12 and 13 of the guidance).

### Section 2 – local licensing

This might set out what insurance and licenses are desirable or needed for organisers to arrange (see paragraph 14 of the guidance).

### Section 3 – step-by-step guide to organising an event

This section could give organisers a step-by-step guide on what they should take account of when planning their events. These might be issues such as:

- managing crowds;
- insurance arrangements;
- managing vehicles;
- health and safety issues;
- managing waste and hygiene;
- training stewards; and
- planning for unexpected events.

**Section 4 – checklist**

This section could give organisers a checklist of items before and after the event for them to use along with a timescale by which each item should be carried out.

**Section 5 – organisers’ risk assessment**

This section could tell organisers the circumstances under which they should assess risks and what the assessment is expected to cover. (See paragraph 64 of the guidance and Annex C.)

**Section 6 – stewarding**

This section could set out what stewarding standards are generally expected of organisers and the training that stewards might need to receive before being put in charge of an event. As a result, this section might use the information from paragraph 116 of the working group’s report which highlighted the main areas where training might be offered.

**Section 7 – contacts**

This section might give organisers a note of the most appropriate contacts at the local authority and who the other essential contacts might be. Useful contacts in the council could include those who give advice on environmental health, road closures, cleaning and licensing. Other useful contacts might include those from the emergency services (the police, the fire brigade and so on), and other main sources of help such as the Red Cross (for first aid).

**Section 8 – code of conduct**

This could be a brief section to summarise what your code of conduct covers and the standard of behaviour that you expect from those taking part.

# Annex C

## Draft risk assessment form for procession organisers

**Risk assessment form issued by [insert council's name]**

### **General information for the organiser**

We are asking you to fill in this risk assessment form to help us understand what dangers and risks might be associated with holding your event. This form will take you through the most common areas of risk which we and the police might want to raise with you. We and the police will carry out our own assessment of risk and may want to discuss our assessment with you before any meeting is held or at the first meeting itself.

### **When a risk assessment may not be needed**

We will tell you if you do not need to fill in this risk assessment form. You may not need to carry out a risk assessment, for example, if we consider that your procession is routine or it has already been decided that the procession will carry little to no risk.

### **Purpose of filling in the riskassessment form**

A risk assessment of the procession will help to:

- identify any dangers associated with holding it;
- evaluate the level of any known risks;
- decide who is at risk and in what way and how the risk to them could be got rid of; and
- decide, where other types of risk have been identified, whether it would be possible to introduce appropriate measures to allow the procession to go ahead.

### **Who should complete this form**

It would be preferable if you were a suitably qualified person (e.g. someone who is trained in health and safety regulations). If that is not possible, someone else in the organisation with a strong knowledge of the area where the march is to be held should fill it in. Once filled in, you should send the form, with the notification form, to the contact named at the end of this form. That person will then check the form and compare it to the assessment of risk which we and the police will be carrying out.

**How to fill in the form**

You should work your way through the form section by section. If there are parts to sections which you cannot fill in, you should contact the person named at the end of the form. If your overall assessment shows that there is a high risk associated with holding the procession, you should get in touch with the person named at the end of the form as soon as possible to discuss if we can find solutions to reduce or remove the risk. Once we have considered the notifications, the risk assessment and all other evidence, we may contact you to hold a meeting.

**Who you should send the form to**

You should send your risk assessment form, with your notification form, to the people named at the end of this form at least 28 days before you plan to hold a procession. Our contact details appear on the notification form and at the end of this form. If you cannot send your risk assessment with the notification, you should speak to the local authority contact named at the end of this form for advice.

**Next steps**

We will assess the risks associated with holding your procession within the first two weeks of us receiving your notification and risk assessment forms. You should remember to keep a copy of this form for your records and bring it with you for any meeting which we may hold. This is because we and the police may want to raise issues with you about how your assessment compares to our assessment. In case there are problems, we may need further meetings.

**Section 1**

Your name, address and contact details:	
Date and time of procession:	Date: ..... Time: .....
Proposed main route of procession:	

## Section 2

### Main risk assessment

The table in this section sets out the main areas of the risk assessment. You should provide as many supporting comments as you can.

Question	You must provide supporting comments in the boxes below
Is the date of your procession particularly significant to the organisation?	
Has your organisation marched along the same route before?	
Are there enough trained stewards to control the number of marchers expected?	
Have there been any difficulties or tensions in the recent past with holding this procession?	
Please assess the level of risk there may be to public safety. (Please also say whether the risk is low, medium or high.)	
Please assess any risk to public safety. (Please also say whether the risk is low, medium or high.)	

Question	You must provide supporting comments in the boxes below
Please assess any risk to public order. (Please also say whether the risk is low, medium or high.)	
Please assess the risk of damage to property. (Please also say whether the risk is low, medium or high.)	
Please assess the risk of disruption to local business, the community or shoppers and traffic from holding the procession. (Please also say whether the risk is low, medium or high.)	
<b>Taking account of all the information in this table, what is your opinion of the overall risk of holding the procession? Is it low, medium or high?</b>	

### Section 3

This section details other information which you should consider as part of a general assessment of the procession. You should assess the following.

The main considerations	Supporting comments
At the end of the march, what are your arrangements for getting marchers to go home?	
Are you organising any other social events at the end of the march? (Please give details of what these are.) And will you need a police presence?	
Is the proposed route shown on your notification as a route that your organisation commonly uses?	
Have you taken out insurance to help cover for any risks arising from the procession?	
What is your assessment of the risks to marchers if the route passes through communities which may be against the march?	
Do you have enough security in place for any coaches and other vehicles used by the marchers?	
Have you considered the policing and attendant costs for holding the procession?	

The main considerations	Supporting comments
Have you assessed what other priorities there may be in the area on the day of the march?	
Have you considered the effect on the community as a whole if the march went ahead?	
Could you combine this procession with other similar events in the area? If not, why not?	

**Section 4**

Final assessment

If you are holding a meeting, I would like to raise the following points about this risk assessment.

- >
- >
- >
- >
- >

Please provide any other supporting comments in the box below.

**Section 5**

**Declaration**

I have assessed the risks associated with holding the above procession.  
I will come to any meeting which may be needed.

Signature of the person carrying out the risk assessment:.....

Name in BLOCK CAPITALS: .....

Relevant qualifications of the person carrying out the risk assessment:

.....

Signature of organiser: .....

(You only need to fill in this part of the form if you are not the person who carried out the risk assessment.)

Name in BLOCK CAPITALS: .....

Date: .....

**Section six**

Please return the filled-in risk assessment form with the notification form to the following person.

[insert local authority contact details].

And copy and send it to the following police contact.

[insert police contact details].

# Annex D

## Notice of proposal to hold a public procession (form number XXX)

Important notice – As the organiser of your event you should give us at least 28 days’ notice of your intention to hold a procession. If you cannot provide the notice needed, you should contact the person named at the end of this form to apply for an exemption. We can only make an exemption in exceptional circumstances.

You should read the attached code of conduct and fill in all sections of the form and:

- send the signed top copy (white) to me (details are at the bottom of this form);
- send the middle copy (pink) to the police office in the area where the procession is to be held; and
- keep the bottom copy (yellow) for yourself.

We may also ask you to fill in and return a risk assessment form with this notification form. We will let you know if this is necessary.

You must bring your copy of this form, along with any risk assessment form which we may ask you to fill in, to any meeting that we may hold to discuss your notification in more detail.

Please provide the following details.

### Your contact details

**Name:** .....

**Address:** .....

..... **Postcode:** .....

**Phone number:** .....

**E-mail address:** .....

**Chief Steward's contact details**

**Name:** .....

**Address:** .....

..... **Postcode:** .....

**Phone number:** .....

**E-mail address:** .....

Name of organisation or band:.....

Date and start time of procession: .....

Reason for procession: .....

The proposed route: .....

Number of people expected to take part: .....

Please provide details of the arrangements for controlling the event.

.....

.....

.....

.....

(Continue on a separate sheet, if you need to.)

Number of stewards attending: ..... Number of buses or coaches: .....

Names of any bands and the names of each band member who will be taking responsibility for the bands. The named band member must be present on the day and must identify themselves to the police.

Name of bands: Band A: .....

Band B: .....

Band C: .....

Name of responsible band member for: Band A: .....

Band B: .....

Band C: .....

(Please continue on a separate sheet, if necessary.)

Arrangements for before and after the event: .....

Please provide any extra information about the procession which you think may be relevant (reasons why it is not possible for this procession to be combined with other similar ones).

.....  
.....

Details about the return procession (if this applies): .....

**I, the organiser, have read your code of conduct attached to this letter and agree to keep to its standard conditions.**

**Your signature:** ..... **Date:** .....

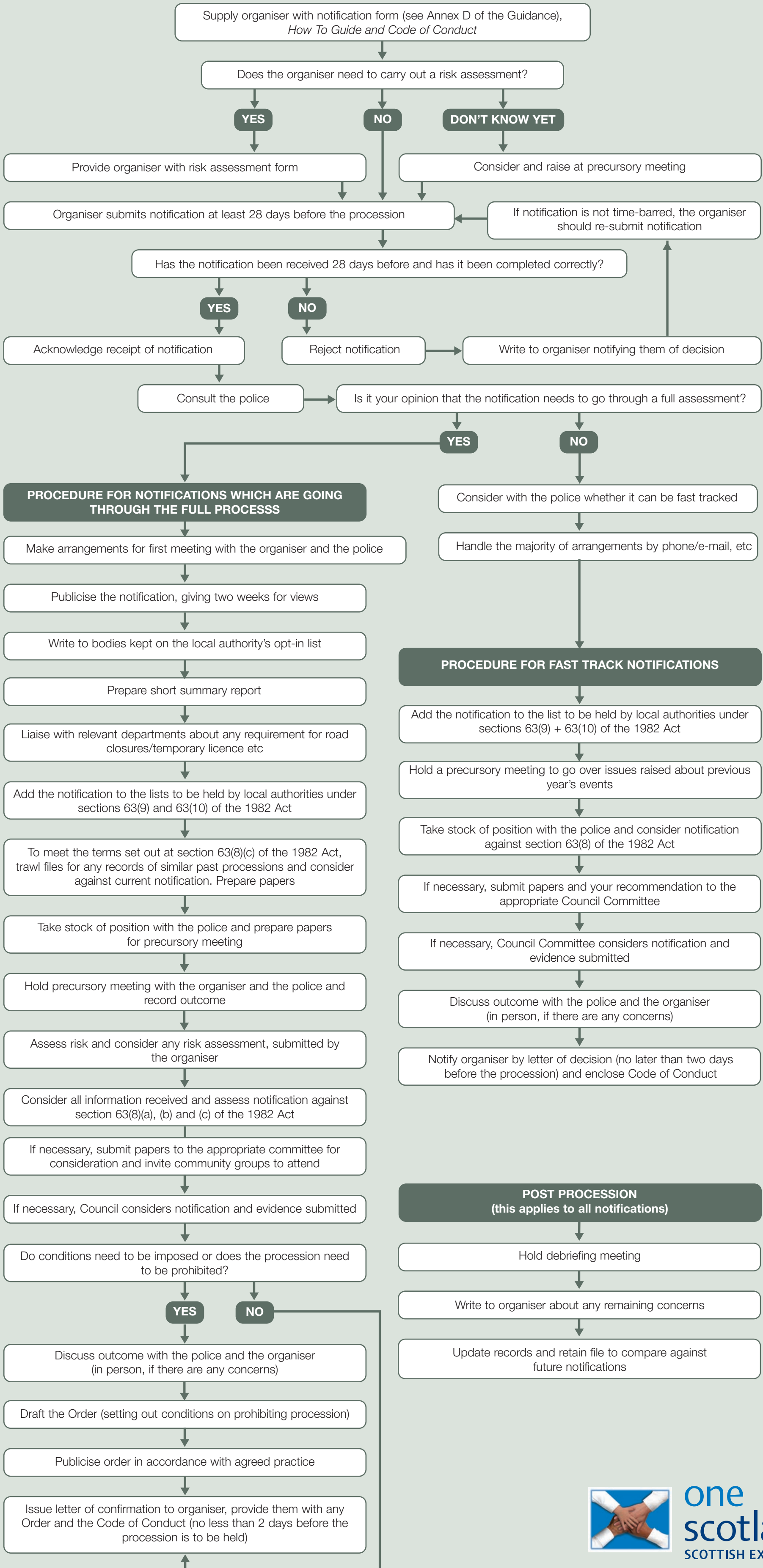
The lead contact at the local authority is: .....

(Please return this form to the person named here)

[insert local authority contact details].

They may need to contact you again to arrange a meeting to discuss your notification in more detail.

# process chart for local authorities: handling notifications of **marches and parades**



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[www.scotland.gov.uk](http://www.scotland.gov.uk)

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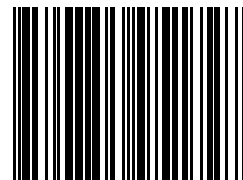
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